

Lane	Shofner
Martin	Tynan
Moffett	Vick
Nokes	Weinert
Russell	

Nays—14

Bell	Lock
Bracewell	McDonald
Carney	Moore
Colson	Parkhouse
Corbin	Phillips
Fuller	Strauss
Kelley of Hidalgo	Wagonseller

Accordingly the Senate at 12:10 o'clock a. m. adjourned until 10:30 o'clock a. m. tomorrow.

FORTIETH DAY

(Wednesday, March 21, 1951)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Russell
Hardeman	Shofner
Hazlewood	Strauss
Hudson	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagonseller

Absent—Excused

Weinert

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday, was dispensed with and the Journal was approved.

Leave of Absence

Senator Weinert was granted leave of absence for today and the remainder of the week on account of important business on motion of Senator Hardeman.

Reports of Standing Committees

Senator Kelly of Tarrant submitted the following reports:

Austin, Texas,
March 20, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred S. B. No. 263, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass but that the adopted committee substitute therefor do pass in lieu thereof and be printed.

KELLY of Tarrant

C. S. S. B. No. 263 was read first time.

Austin, Texas,
March 20, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred H. B. No. 38, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KELLY of Tarrant

Austin, Texas,
March 20, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred S. B. No. 296, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KELLY of Tarrant

Austin, Texas,
March 20, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred S. B. No. 39, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

KELLY of Tarrant

Senator Strauss submitted the following report:

Austin, Texas,
March 20, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred S. B. No. 338, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

STRAUSS, Chairman

Senator Carney submitted the following reports:

Austin, Texas,
March 20, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 404, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman

Austin, Texas,
March 20, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred S. B. No. 367, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman

Austin, Texas,
March 20, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred S. B. No. 318, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman

Austin, Texas,
March 20, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 313, have had the same under consideration, and I am instructed to report it back to the Sen-

ate with the recommendation that it do pass and be not printed.

CARNEY, Chairman

Senator Hazlewood submitted the following reports:

Austin, Texas,
March 20, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 290, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman

Austin, Texas,
March 20, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 35, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed, but not otherwise printed.

HAZLEWOOD, Chairman

Austin, Texas,
March 20, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 288, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman

Austin, Texas,
March 20, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 289, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman

Senator Bullock submitted the following reports:

Austin, Texas,
March 21, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir, We, your Committee on Towns and City Corporations, to whom was referred H. B. No. 273, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BULLOCK, Chairman

Austin, Texas,
March 21, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir, We, your Committee on Towns and City Corporations, to whom was referred S. B. No. 353, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BULLOCK, Chairman

Austin, Texas,
March 21, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir, We, your Committee on Towns and City Corporations, to whom was referred S. B. No. 374, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BULLOCK, Chairman

Senate Bill 383 on First Reading

Senator Parkhouse moved that Senate Rule 114, and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Nokes
Carter	Parkhouse
Colson	Phillips
Corbin	Russell
Fuller	Shofner
Hardeman	Strauss
Hudson	Tynan
Kelly of Tarrant	Vick
Lane	Wagonseller

Absent

Hazlewood Kelley of Hidalgo

Absent—Excused

Weinert

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Parkhouse:

S. B. No. 383, A bill to be entitled "An Act amending Chapter 458, Acts 1941, 47th Legislature, Regular Session, designated "Dallas County Road Law"; providing for creation of County Planning Board outside of incorporated cities or towns of Dallas County for the purpose of regulating county planning, platting, subdivision and matters pertaining to public health; providing regulatory measures and methods of creating such a County Planning Board; providing the remedy of temporary restraining order and injunction in cases of violation of such regulatory provisions; and declaring an emergency."

To Committee on Counties and County Boundaries.

Senate Bill 384 on First Reading

Senator Hudson moved that Senate Rule 114, and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Russell
Corbin	Shofner
Fuller	Strauss
Hardeman	Tynan
Hudson	Vick
Kelley of Hidalgo	Wagonseller
Kelly of Tarrant	

Absent

Hazlewood Phillips
Parkhouse

Absent—Excused

Weinert

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Hudson:

S. B. No. 384, A bill to be entitled "An Act authorizing the official court reporter of the Seventieth (70th) Judicial District, composed of the counties of Midland and Ector, to appoint a deputy court reporter for the Seventieth (70th) Judicial District; prescribing the duties of the deputy court reporter; providing that no money shall be expended by the counties comprising the Seventieth (70th) Judicial District or the State of Texas for the salary or other expense of such deputy court reporter; repealing all laws in conflict herewith; and declaring an emergency."

To Committee on Civil Jurisprudence.

Senate Bill 385 on First Reading

Senator Bell moved that Senate Rule 114, and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—27

Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Phillips
Corbin	Russell
Fuller	Shofner
Hardeman	Strauss
Hudson	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagonseller
Lane	

Absent

Aikin	Parkhouse
Hazlewood	

Absent—Excused

Weinert

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Bell:

S. B. No. 385, A bill to be entitled "An Act amending Chapter 32, Acts of the 43rd Legislature of Texas, Third Called Session, 1934, (Article 7880-90a, Vernon's Texas Civil Statutes); providing different meth-

ods for issuing and securing the payment of bonds by certain water control and improvement districts; prescribing procedures to be followed by such districts; providing that this Act shall be cumulative of other acts on the subject but the provisions of this Act shall prevail over other acts in conflict herewith; and declaring an emergency."

To Committee on Water Rights, Irrigation and Drainage.

Senate Bill 386 on First Reading

Senator Bullock moved that Senate Rule 114, and Section 5 of Article III of the Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lane
Ashley	Lock
Bracewell	Martin
Bullock	McDonald
Carney	Moffett
Carter	Moore
Colson	Nokes
Corbin	Phillips
Fuller	Russell
Hardeman	Shofner
Hudson	Strauss
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick

Absent

Bell	Parkhouse
Hazlewood	Wagonseller

Absent—Excused

Weinert

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Bullock:

S. B. No. 386, A bill to be entitled "An Act authorizing the State Board of Education to combine subjects on recommendation of the State Textbook Committee and the State Commissioner of Education and to adopt textbooks for such combined subjects and providing the manner and method therefor; providing for the length of contracts for textbooks and for renewal and extension of contracts; repealing conflicting laws; providing invalidity of any part of

Act shall not affect remaining parts; and declaring an emergency."

To Committee on Educational Affairs.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
March 21, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 223, A bill to be entitled "An Act amending Section 140, Section 141 and Section 142, Article XV of Senate Bill 172, Chapter 421, Acts of the Fiftieth Legislature, Regular Session, 1947, providing for the compulsory inspection, adjustment, correction or repair of motor vehicles trailers, semi-trailers, pole trailers and house trailers under the supervision of the Texas Department of Public Safety; providing for the designation of official inspection stations; providing penalties for the violation of the provisions of this Act; providing for inspection fees; creating a fund for the administration of this Act; providing for the effective date of this Act; providing for severability; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

H. C. R. No. 47, Granting each House permission to adjourn from Thursday, March 22, 1951, until Tuesday, March 27, 1951.

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

Senate Resolution 112

Senator Bell offered the following resolution:

Whereas, We are honored today to have in the gallery Mr. W. W. Copeland, principal, and Miss Gladys Threadgill, teacher, and twenty-seven senior students of the Civics Class of the Taft High School of Taft, Texas; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be ex-

tended the courtesies of the floor for the day, and that a copy of this resolution be forwarded to the guests and students.

The resolution was read and was adopted.

Resolutions Signed

The President signed in the presence of the Senate, after the captions had been read, the following enrolled resolutions:

S. C. R. No. 36, Relating to the Fortieth Anniversary Celebration of the Pioneer Citizens of Electra, Texas.

S. C. R. No. 37, Inviting the Honorable Francis P. Matthews, the Secretary of the Navy, to address a joint session of the Legislature.

House Bill 340 on Second Reading

The President laid before the Senate as unfinished business H. B. No. 340 on its second reading and passage to third reading (the bill having been read second time on Wednesday, March 14, 1951, and again laid before the Senate on Thursday, March 15, 1951).

Question—Shall H. B. No. 340 be passed to third reading?

Senator Ashley offered the following amendment to the bill:

Amend House Bill No. 340 by adding a new section thereto to be known as Section 12a to read as follows:

"Sec. 12a. That Subdivision (b) of Section 4 of House Bill 130, Chapter 563, Acts of the Fifty-first Legislature, Regular Session, 1949, codified as Subdivision (b) of Section 4 of Article 320a-1 of Vernon's Texas Civil Statutes be and the same is hereby amended so as to hereafter read as follows:

"Subdivision (b). The Supreme Court is further empowered and it shall be its duty to prescribe fees of not less than Four Dollars (\$4.00) per annum per person for members of the State Bar to be paid to the Clerk of the Supreme Court. Effective September 1, 1951, all funds held or controlled by the Clerk under the direction of the Court and all funds thereafter received by the Clerk shall be deposited in the State Treasury, as received, to the credit of the State

Bar of Texas and expended by the Court or under its direction in accordance with appropriations made by law for the purpose of the administration of this Act. Any person licensed and registered may pay to the Clerk of the Supreme Court a sum of money from which the fees owed by such person may be taken from time to time, as they become due, and deposited in the State Treasury."

On motion of Senator Kelly of Tarrant, the amendment was tabled by the following vote:

Yeas—17

Bracewell	Moffett
Carter	Moore
Colson	Nokes
Corbin	Parkhouse
Fuller	Phillips
Hudson	Strauss
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick
Martin	

Nays—13

Aikin	Lane
Ashley	Lock
Bell	McDonald
Bullock	Russell
Carney	Shofner
Hardeman	Wagonseller
Hazlewood	

Absent—Excused

Weinert

Senator Bullock offered the following amendment to the bill:

Amend the printed copy of H. B. 340, page 5, by striking out all of Section 9.

(Senator Aikin in Chair.)

Senator Hardeman moved to table the amendment.

The motion to table was lost by the following vote:

Yeas—7

Aikin	McDonald
Hardeman	Nokes
Kelly of Tarrant	Wagonseller
Lane	

Nays—21

Ashley	Carney
Bell	Carter
Bracewell	Colson
Bullock	Corbin

Hazlewood	Phillips
Hudson	Russell
Kelley of Hidalgo	Shofner
Martin	Strauss
Moffett	Tynan
Moore	Vick
Parkhouse	

Absent

Fuller

Lock

Absent—Excused

Weinert

Question recurring on the amendment by Senator Bullock, it was adopted.

Senator Hardeman asked to be recorded as voting "nay" on the adoption of the amendment.

Senator Hazlewood offered the following amendment to the bill:

Amend the printed copy of H. B. 340 by striking out all of Section 8 and 8a thereof.

Senator Hardeman moved to table the amendment.

The motion to table was lost by the following vote:

Yeas—12

Aikin	Martin
Carter	McDonald
Hardeman	Nokes
Kelly of Tarrant	Parkhouse
Lane	Russell
Lock	Wagonseller

Nays—18

Ashley	Hudson
Bell	Kelley of Hidalgo
Bracewell	Moffett
Bullock	Moore
Carney	Phillips
Colson	Shofner
Corbin	Strauss
Fuller	Tynan
Hazlewood	Vick

Absent—Excused

Weinert

Question recurring on the amendment by Senator Hazlewood, it was adopted.

Senator Hardeman asked to be recorded as voting "nay" on the adoption of the amendment.

Senator Hudson offered the following amendment to the bill:

Amend H. B. No. 340 by striking out all words below the enacting clause.

Senator Hardeman moved to table the amendment.

The motion to table was lost by the following vote:

Yeas—10

Aikin	Lock
Carter	Martin
Hardeman	McDonald
Kelly of Tarrant	Moffett
Lane	Nokes

Nays—19

Ashley	Kelley of Hidalgo
Bell	Moore
Bracewell	Parkhouse
Bullock	Phillips
Carney	Russell
Colson	Shofner
Corbin	Strauss
Fuller	Tynan
Hazlewood	Vick
Hudson	

Absent

Wagonseller

Absent—Excused

Weinert

Question recurring on the amendment by Senator Hudson, it was adopted by the following vote:

Yeas—19

Ashley	Kelley of Hidalgo
Bell	Moore
Bracewell	Parkhouse
Bullock	Phillips
Carney	Russell
Colson	Shofner
Corbin	Strauss
Fuller	Tynan
Hazlewood	Vick
Hudson	

Nays—10

Aikin	Lock
Carter	Martin
Hardeman	McDonald
Kelly of Tarrant	Moffett
Lane	Nokes

Absent

Wagonseller

Absent—Excused

Weinert

Senator Hardeman moved that H. B. No. 340 be laid on the table subject to call.

There was no objection offered.

House Concurrent Resolution 47

The presiding officer laid before the Senate the following resolution:

H. C. R. No. 47, Granting each House permission to adjourn from Thursday, March 22, 1951, until Tuesday, March 27, 1951.

The resolution was read.

Senator Hudson offered the following amendment to the resolution:

Amend H. C. R. No. 47 by substituting the words Wednesday, March 21, 1951" for the words "Thursday, March 22, 1951" therein.

The amendment was lost by the following vote:

Yeas—9

Aikin	Lock
Ashley	Shofner
Carney	Strauss
Hazlewood	Vick
Hudson	

Nays—21

Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carter	Moore
Colson	Nokes
Corbin	Parkhouse
Fuller	Phillips
Hardeman	Russell
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Wagonseller
Lane	

Absent—Excused

Weinert

Senator Kelley of Hidalgo moved to table the resolution.

The motion to table was lost by the following vote:

Yeas—9

Bracewell	Moore
Corbin	Parkhouse
Hardeman	Phillips
Kelley of Hidalgo	Wagonseller
Moffett	

Nays—20

Aikin	Bell
Ashley	Bullock

Carney	Lock
Carter	Martin
Colson	McDonald
Fuller	Nokes
Hazlewood	Russell
Hudson	Strauss
Kelly of Tarrant	Tynan
Lane	Vick

Absent

Shofner

Absent—Excused

Weinert

Question recurring on the resolution, it was adopted.

Senator Moore asked to be recorded as voting "nay" on the adoption of the resolution.

(President in Chair.)

Messages From the Governor

The President laid before the Senate and directed the Secretary to read the following messages received from the Governor today:

Austin, Texas,
March 20, 1951.

To the members of the Fifty-second Legislature:

I am returning to you herewith Senate Bill No. 126 which I have this day vetoed because same is contrary to Article III, Section 56 of the Constitution of the State of Texas.

I have referred this proposed legislation to the Attorney General of Texas and in an opinion dated March 20, 1951, he has stated that Senate Bill No. 126 does contravene above section of the Constitution of Texas.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

Austin, Texas,
March 20, 1951.

To the members of the Fifty-second Legislature:

I am returning to you herewith Senate Bill No. 206 which I have this day vetoed because same is contrary to Article III, Section 56 of the Constitution of the State of Texas.

I have referred this proposed legislation to the Attorney General of Texas and in an opinion dated March

15, 1951, he has stated that Senate Bill No. 206 does contravene above section of the Constitution of Texas.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

House Bill on First Reading

The following bill, received from the House today, was read first time and referred to the committee indicated:

H. B. No. 223—To Committee on State Highways and Motor Traffic.

Adjournment

Senator Moffett moved that the Senate stand adjourned until 10:30 o'clock a. m. tomorrow.

Senator Strauss moved that the Senate stand adjourned until 10:30 o'clock a. m. on Monday, March 26, 1951.

The Senate refused to adjourn until Monday, March 26, 1951, by the following vote:

Yeas—10

Ashley	Lock
Bullock	Nokes
Carney	Shofner
Hazlewood	Strauss
Hudson	Vick

Nays—19

Aikin	Lane
Bell	Martin
Bracewell	McDonald
Carter	Moffett
Colson	Moore
Corbin	Parkhouse
Fuller	Phillips
Hardeman	Russell
Kelley of Hidalgo	Tynan
Kelly of Tarrant	

Absent

Wagonseller

Absent—Excused

Weinert

Question recurring on the motion of Senator Moffett, the motion prevailed.

Accordingly, the Senate at 12:10 o'clock p. m. adjourned until 10:30 o'clock a. m. tomorrow.

In Memory of
Honorable John T. Moore

Senator Bracewell offered the following resolution:

(Senate Resolution 111)

Whereas, God in His Infinite Wisdom on March 18th, 1951, called to rest in Harris County, Texas, the Honorable John T. Moore, one of the most beloved citizens in the entire State of Texas; and

Whereas, Dr. John T. Moore was born in Montgomery County, Texas, 87 years ago, attended the Sam Houston State Teachers College at Huntsville, Texas, being one of the school's first graduates; and engaged in the teaching profession until he could earn enough money to satisfy his life-long ambition to practice medicine, thereafter graduating from the University of Texas Medical School at Galveston, Texas; and

Whereas, Dr. John T. Moore became one of the most respected and beloved members of the medical profession, serving as President of the Texas State Medical Association which he helped to organize, and thereafter serving as President of the Harris County Medical Society as well as other medical societies and organizations; and

Whereas, Dr. John T. Moore not only gained renown in the medical profession, but became known to his friends and associates as an outstanding public servant, devoting much time during his busy life to the affairs which affected his community; and

Whereas, Dr. John T. Moore served his community in many capacities when called upon to do so, never shirking his responsibility as a citizen, and placed his duty to his country, his state, and his community on the highest plane, and never becoming too busy in his esteemed professional career to find time to devote to public service; and

Whereas, Dr. John T. Moore was loved and respected by his many friends in all walks of life for all of his outstanding attributes of citizenship; now, therefore, be it

Resolved, By the Senate of the State of Texas, that it pause to acknowledge with deep regret the passing of this outstanding citizen, realizing that with the death of Dr. John T. Moore the State has suffered a great loss, and that when the Senate of the State of Texas adjourns today that it do so in the memory of Dr. John T. Moore and in recognition of his service to the citizenry of Texas.

BRACEWELL

The resolution was read and was adopted by a rising vote of the Senate.